

AMENDED IN SENATE MAY 3, 2001

AMENDED IN SENATE APRIL 26, 2001

SENATE BILL

No. 667

Introduced by Senator Peace

February 23, 2001

~~An act to amend Sections 210 and 40518 of, and to repeal Sections 21455.5 and 21455.6 of, the Vehicle Code, relating to vehicles. An act to add Section 21455.7 to the Vehicle Code, relating to traffic devices.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 667, as amended, Peace. Automated enforcement system.

~~Existing~~

(1) *Existing* law authorizes governmental agencies, in cooperation with law enforcement agencies, to operate an automated enforcement system. Under existing law, an automated enforcement system is a system that photographically records a driver's response to a rail or rail transit signal or crossing gate, or both, or to an official traffic control signal (stoplight) and is designed to obtain a clear photograph of the vehicle's license plate and the driver of the vehicle.

~~This bill would delete the application of automated enforcement systems with regard to official traffic control signals.~~

This bill would establish, at each intersection at which there is an automated enforcement system in operation, left-turn yellow light change intervals based on the posted speed limit of miles per hour at that intersection. The establishment of this requirement on agencies of local government would impose a state-mandated local program.

(2) *The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state.*

Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: ~~no~~ yes.

The people of the State of California do enact as follows:

1 ~~SECTION 1. — Section 210 of the Vehicle Code is amended to~~
2 *SECTION 1. Section 21455.7 is added to the Vehicle Code, to*
3 *read:*

4 *21455.7. At each intersection at which there is an automated*
5 *enforcement system in operation, the left-turn yellow light change*
6 *interval shall be based on the posted speed limit of miles per hour*
7 *(mph) at that intersection as follows:*

8 *(a) For 25 mph or less, the interval shall be 3.0 seconds.*

9 *(b) For 30 mph, the interval shall be 3.2 seconds.*

10 *(c) For 35 mph, the interval shall be 3.6 seconds.*

11 *(d) For 40 mph, the interval shall be 3.9 seconds.*

12 *(e) For 45 mph, the interval shall be 4.3 seconds.*

13 *(f) For 50 mph, the interval shall be 4.7 seconds.*

14 *(g) For 55 mph, the interval shall be 5.0 seconds.*

15 *(h) For 60 mph, the interval shall be 5.4 seconds.*

16 *(i) For 65 mph, the interval shall be 5.8 seconds.*

17 *SEC. 2. Notwithstanding Section 17610 of the Government*
18 *Code, if the Commission on State Mandates determines that this*
19 *act contains costs mandated by the state, reimbursement to local*
20 *agencies and school districts for those costs shall be made*
21 *pursuant to Part 7 (commencing with Section 17500) of Division*
22 *4 of Title 2 of the Government Code. If the statewide cost of the*
23 *claim for reimbursement does not exceed one million dollars*
24 *(\$1,000,000), reimbursement shall be made from the State*
25 *Mandates Claims Fund.*

26 *read:*

1 ~~210. An “automated enforcement system” is any system~~
2 ~~operated by a governmental agency, in cooperation with a law~~
3 ~~enforcement agency, that photographically records a driver’s~~
4 ~~responses to a rail or rail transit signal or crossing gate, or both, and~~
5 ~~is designed to obtain a clear photograph of a vehicle’s license plate~~
6 ~~and the driver of the vehicle.~~

7 ~~SEC. 2. Section 21455.5 of the Vehicle Code is repealed.~~

8 ~~SEC. 3. Section 21455.6 of the Vehicle Code is repealed.~~

9 ~~SEC. 4. Section 40518 of the Vehicle Code is amended to~~
10 ~~read:~~

11 ~~40518. (a) Whenever a written notice to appear has been~~
12 ~~issued by a peace officer or by a qualified employee of a law~~
13 ~~enforcement agency on a form approved by the Judicial Council~~
14 ~~for an alleged violation of Section 22451 recorded by an~~
15 ~~automated enforcement system pursuant to Section 22451, and~~
16 ~~delivered by mail within 15 days of the alleged violation to the~~
17 ~~current address of the registered owner of the vehicle on file with~~
18 ~~the department, with a certificate of mailing obtained as evidence~~
19 ~~of service, an exact and legible duplicate copy of the notice when~~
20 ~~filed with the magistrate shall constitute a complaint to which the~~
21 ~~defendant may enter a plea. Preparation and delivery of a notice~~
22 ~~to appear pursuant to this section is not an arrest.~~

23 ~~(b) A notice to appear shall contain the name and address of the~~
24 ~~person, the license plate number of the person’s vehicle, the~~
25 ~~violation charged, including a description of the offense, and the~~
26 ~~time and place when, and where, the person may appear in court~~
27 ~~or before a person authorized to receive a deposit of bail. The time~~
28 ~~specified shall be at least 10 days after the notice to appear is~~
29 ~~delivered.~~